

## **SUMMARY**

### **Water Quality Permit Application, Nondegradation Authorization, And Annual Permit Fees**

**EXPLANATION OF FEES** The Montana Water Quality Act (MWQA) requires that the Board of Environmental Review adopt rules that are sufficient to recover the cost of issuing permits, licenses, and other authorizations issued by the Department, as well as the administrative costs of operating the program.

Permit fees are assessed in two different categories: application fees and annual fees. Application fees are paid concurrently with the submittal of an application for a new permit or every five years for renewals. These fees cover the cost of reviewing and processing the application, developing effluent limits, and informing the public and other agencies of these activities. The second component of the fee system is the annual fee that covers the cost of administering the permit during its five-year term, including data entry, compliance monitoring and sampling, technical assistance, and inspections.

Both application and annual fees are based on the number of outfalls or discharge points identified in the permit or application. Multiple outfalls are generally required if the wastewater:

- originates from different sources within the facility or site;
- has fundamentally different characteristics (such as process water, domestic wastes, or storm water);
- results in different effluent limits, monitoring requirements, and conditions; or
- is discharged to different receiving waters or watersheds.

Annual fees are assessed based on the number of outfalls and the effluent volume (flow) based on the previous year's discharge data. Annual invoices are prepared by the Department and mailed to permit holders in February. For new applications, the total fee due upon submittal is the sum of the application fee (Schedules 1.A- 1.C) and annual fee (Schedules III.A and III.B). When appropriate, a fee for authorization to degrade is added to the application fee (Schedule II).

In addition to permit fees, the WQA requires that fees be assessed for section 308 authorizations, which allow the exceedance of state water quality standards for pesticide applications and emergency remedial activities, and section 318 authorizations, which set water quality standards for turbidity. If the proposed activity results in degradation of state waters, an additional fee is necessary (Schedule II).

**PAYMENT OF FEES** All fees must be made payable to the Department of Environmental Quality, Water Protection Bureau and submitted using one of the following methods.

- Business, personal, or cashier's check or money order mailed to:

Department of Environmental Quality  
Water Protection Bureau  
PO Box 200901  
Helena MT 59620-0901
- State inter-unit journal transfer. This method is restricted to transactions between state government agencies.

The Water Protection Bureau is **not** able to accept credit cards, nor are we able to send a bill for those fees that are due upon submittal of an application. If you have questions, please call the Water Protection Bureau.

**Note:** Any application received without proper fee payments **will not be processed** until all appropriate monies are paid and matched with the application; therefore, it is essential that you send fee payments with the application, that you reference the permit number (if available) or permit type (MPDES, storm water, ground water, 318 etc.), and/or project name (e.g. Third St. Dewatering Project). If payment is generated by corporate office, holding or management company, or consultant, it is important that the above items are referenced on the payment instrument to avoid delay in matching paperwork with payment and subsequent delay in processing.

#### **Schedule I.A Application Fee for Individual Permits**

| Category                                 | Amount <sup>(1)</sup> |
|--|-----------------------|
| Publicly owned treatment works – major   | \$4,000               |
| Privately owned treatment works – major  | \$4,500               |
| Publicly owned treatment works – minor   | \$1,000               |
| Privately owned treatment works – minor  | \$2,500               |
| Ground water, domestic wastes            | \$1,200               |
| Ground water, industrial or other wastes | \$1,500               |

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

#### **Schedule I.B Application Fee for General Permits**

| Category   | Amount <sup>(1)</sup> |
|--|-----------------------|
| Concentrated animal feeding operation, greater than 1,000 animal units         | \$600                 |
| Concentrated animal feeding operation, less than 1,000 animal units            | \$600                 |
| Construction dewatering  | \$300                 |
| Fish farms   | \$300                 |
| Produced water   | \$450                 |
| Portable suction dredge, owned and operated by a Montana resident              | \$25                  |
| Portable suction dredge, owned and operated by a nonresident                   | \$100                 |
| Sand and gravel  | \$450                 |
| Domestic sewage treatment lagoon   | \$500                 |
| Disinfected water  | \$500                 |
| Petroleum cleanup  | \$500                 |
| Storm water associated with construction, residential (single family dwelling) | \$250                 |
| Storm water associated with construction, commercial or public                 | \$450                 |
| Storm water associated with industrial activities                              | \$500                 |
| Storm water associated with mining, oil and gas                                | \$500                 |
| Storm water municipal separate storm sewer system                              | \$1,500               |
| Ground water remediation or dewatering   | \$700                 |
| Ground water potable water treatment facilities                                | \$700                 |
| Other general permits not listed above   | \$400                 |

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

**Schedule I.C Application Fee for Other Activities**

| Category   | Amount <sup>(1)</sup> |
|--|-----------------------|
| Short-term water quality standard, turbidity – “318 authorization”                                     | \$150                 |
| Short-term water quality standard, remedial activities and pesticide application – “308 authorization” | \$250                 |
| Storm water no exposure certification  | \$100                 |
| Storm water construction waiver  | \$100                 |
| Federal Clean Water Act section 401 certification  | Varies <sup>(2)</sup> |
| Review plans and specifications to determine if permit is necessary, pursuant to 75-5-402(2), MCA      | ½ Applicable Fee      |
| Major amendment  | Application Fee       |
| Minor amendment, includes transfer of ownership  | \$200                 |

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

<sup>(2)</sup> Minimum fee is \$350, or 1% of gross value of proposed project, not to exceed \$10,000.

**Schedule II. Review of Authorizations to Degrade**

| Category                  | Amount                   |
|---------------------------|--------------------------|
| Domestic sewage treatment | \$2,500 <sup>(1)</sup>   |
| Industrial activity       | \$5,000 <sup>(1)</sup>   |
| Subdivision, 1-9 lots     | \$120/lot                |
| Subdivision, 10+ lots     | \$200/lot <sup>(2)</sup> |

<sup>(1)</sup> Per outfall, limited to a maximum of five outfalls.

**Schedule III.A Annual Fee for Individual Permits**

| Category   | Minimum Fee <sup>(1)</sup> | Fee Per Million Gallons of Effluent per Day (MGD) |
|--|----------------------------|---|
| Publicly owned treatment works – major                 | \$2,000                    | \$2,500   |
| Privately owned treatment works – major                | \$3,000                    | \$3,000 <sup>(2)</sup>                            |
| Publicly owned treatment works – minor                 | \$1,000                    | \$2,500   |
| Privately owned treatment works – minor                | \$1,000                    | \$3,000 <sup>(2)</sup>                            |
| Privately owned treatment works – minor <sup>(3)</sup> | \$750                      | \$750   |
| Ground water, domestic wastes                          | \$750                      | \$3,000   |
| Ground water, industrial or other wastes               | \$1,500                    | \$3,000 <sup>(2)</sup>                            |

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

<sup>(2)</sup> Except \$750 per MGD if effluent is noncontact cooling water.

<sup>(3)</sup> Noncontact cooling water only.

**Schedule III.B Annual Fee for General Permits**

| Category | Amount <sup>(1)</sup> |
|----------|-----------------------|
|----------|-----------------------|

|  |       |
|--|-------|
| Concentrated animal feeding operation, greater than 1,000 animal units         | \$600 |
| Concentrated animal feeding operation, less than 1,000 animal units            | \$600 |
| Construction dewatering  | \$250 |
| Fish farms   | \$250 |
| Produced water   | \$450 |
| Portable suction dredge, owned and operated by a Montana resident              | \$25  |
| Portable suction dredge, owned and operated by a nonresident                   | \$100 |
| Sand and gravel production   | \$450 |
| Domestic sewage treatment lagoon   | \$500 |
| Disinfected water  | \$450 |
| Petroleum cleanup  | \$450 |
| Storm water associated with construction, residential (single family dwelling) | NA    |
| Storm water associated with construction, commercial or public                 | \$450 |
| Storm water associated with industrial activities                              | \$650 |
| Storm water associated with mining and oil and gas                             | \$650 |
| Storm water municipal separate storm sewer system (MS4)                        | \$650 |
| Ground water remediation or dewatering   | \$450 |
| Potable water treatment facilities   | \$450 |
| Other general permits, not listed above  | \$350 |

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.